

NOTICE OF APPEAL  
TO  
U.S. COURT OF APPEALS, THIRD CIRCUIT

U.S. District Court for the District of Delaware

CIRCUIT COURT  
DOCKET NUMBER: \_\_\_\_\_  
(leave blank)

FULL CAPTION IN DISTRICT COURT AS FOLLOWS:

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DISTRICT COURT  
DOCKET NUMBER: 07-36-JJF

v.

DISTRICT COURT  
JUDGE: Joseph J. Farnan

Edward Gibbs Jr. pro-se,

Notice is hereby given that Edward Gibbs Jr.  
(Named Party)

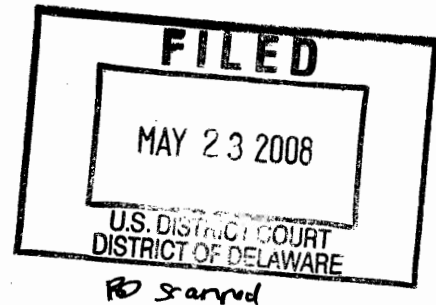
appeals to the United States Court of Appeals for the Third Circuit from [ ] Judgment, [X] Order,

[ ] Other (specify) \_\_\_\_\_

entered in this action on May 9, 2008  
(date)

Dated: May 19, 2008

Edward Gibbs Jr. pro-se,  
(Counsel for Appellant-Signature)



Edward Gibbs Jr. pro-se  
(Name of Counsel - Typed)  
Delaware Correctional Center  
1181 Padlock Road  
(Address)

Smayna Del, 19977  
(City, State Zip)

\_\_\_\_\_  
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James Turner Wakley  
(Counsel for Appellee)  
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820 N. French St.  
(Address)

Wilmington Del, 19801  
(City, State Zip)

\_\_\_\_\_  
(Telephone Number)

NOTE: USE ADDITIONAL SHEETS if all appellants and/or all counsel for appellees cannot be listed on the Notice of Appeal sheet.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

EDWARD GIBBS, :  
 :  
 Petitioner, :  
 :  
 v. : Civ. Act. No. 07-36-JJF  
 :  
 PERRY PHELPS, Warden, and :  
 ATTORNEY GENERAL OF THE STATE :  
 OF DELAWARE, :  
 :  
 Respondents. :

O R D E R

At Wilmington, this 9 day of May, 2008, for the reasons  
set forth in the Memorandum Opinion issued this date;

IT IS HEREBY ORDERED that:

1. Petitioner Edward Gibbs' Application For A Writ Of  
Habeas Corpus Pursuant To 28 U.S.C. § 2254 (D.I. 1.) is  
**DISMISSED**, and the relief requested therein is **DENIED**.
2. Petitioner's Motion for Evidentiary Hearing (D.I. 43.)  
is **DENIED**.
3. The Court declines to issue a certificate of  
appealability because Petitioner has failed to satisfy the  
standards set forth in 28 U.S.C. § 2253(c)(2).

  
UNITED STATES DISTRICT JUDGE